

TO: **Mail Stop 8**  
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**REPORT ON THE  
FILING OR DETERMINATION OF AN  
ACTION REGARDING A PATENT OR  
TRADEMARK**

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following  Patents or  Trademarks:

DOCKET NO. CV 10-05672 WHA	DATE FILED 12/13/2010	U.S. DISTRICT COURT 450 Golden Gate Avenue, San Francisco, CA 94102
PLAINTIFF SHUTTERFLY INC	DEFENDANT EASTMAN KODAK CO, and KODAK IMAGING NETWORK, INC.	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,583,799	Jun. 24, 2003	Shutterfly, Inc.
2 7,269,800	Sep. 11, 2007	Shutterfly, Inc.
3 6,587,596	Jul. 1, 2003	Shutterfly, Inc.
4 6,973,222	Dec. 6, 2005	Shutterfly, Inc.
5 7,474,801	Jan. 6, 2009	Shutterfly, Inc.
7,016,869	Mar. 21, 2006	Shutterfly, Inc.
7,395,229	Jul. 1, 2008	Shutterfly, Inc.

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
Voluntary dismissal without prejudice. See attached.

CLERK	(BY) DEPUTY CLERK	DATE
Richard W. Wicking	William Noble	January 31, 2011

Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

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SHUTTERFLY, INC.

10  
11 SHUTTERFLY, INC.

12 Plaintiff,

13 v.  
14  
15 EASTMAN KODAK COMPANY, and KODAK  
IMAGING NETWORK, INC.

16 Defendants.  
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Case No. 3:10-cv-05672-WHA

**NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

1 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Shutterfly, Inc. hereby dismisses,  
2 *without prejudice*, all claims in the above-captioned action against Eastman Kodak Company and Kodak  
3 Imaging Network, Inc. (collectively, "Kodak"). Kodak has not filed an answer or motion for summary  
4 judgment in this matter.

5  
6 Dated: January 31, 2011

DURIE TANGRI LLP

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9 By: \_\_\_\_\_  
JOSHUA H. LERNER

10 Attorneys for Plaintiff  
11 SHUTTERFLY, INC.  
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1                   **CERTIFICATE OF SERVICE**

2                   I certify that all counsel of record are being served on January 31, 2011, with a copy of this  
3 document via the Court's CM/ECF system.

4                   I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct. Executed on January 31, 2011, at San Francisco, California.

6                   \_\_\_\_\_  
7                   /s/ *Joshua H.. Lerner*  
JOSHUA H. LERNER

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